

HOUSE BILL No. 1755

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-5-1.1; IC 25-1; IC 25-2.1; IC 25-4; IC 25-5.1-3-4; IC 25-6.1; IC 25-7; IC 25-8-15.4; IC 25-10-1-6; IC 25-11-1; IC 25-13; IC 25-14; IC 25-14.5-6-1; IC 25-15-6; IC 25-17.6-5-1; IC 25-19-1-9; IC 25-20-1; IC 25-20.5-1-18; IC 25-21.5-8; IC 25-22.5-7-1; IC 25-23-1-16.1; IC 25-23.5-5-9; IC 25-24-1; IC 25-26; IC 25-27-1-8; IC 25-27.5-4-5; IC 25-28.5-1-22; IC 25-29-8-6; IC 25-30-1; IC 25-31-1-17; IC 25-32-1-13; IC 25-33; IC 25-34.1-3; IC 25-34.5-2-10; IC 25-35.6-3-6.

Synopsis: Four year professional licenses. Changes the period of certain professional licenses to four years. Makes conforming changes in statutory license fees and statutory continuing education requirements.

Effective: Upon passage; July 1, 2001.

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January 17, 2001, read first time and referred to Committee on Commerce, Economic Development and Technology.



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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1755

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-5-1.1-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) A license issued
3 under this chapter is valid until the next renewal date described under
4 subsection (b).

5 (b) All licenses expire on October 15 ~~in each odd-numbered of the~~
6 **fourth year after issuance or last renewal** but may be renewed by
7 application to the board and payment of the proper renewal fee. In
8 accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day
9 notice of expiration to each licensed veterinarian and provide the
10 veterinarian with a form for renewal. The bureau shall issue a license
11 renewal to each individual licensed under this chapter if the proper fee
12 has been received and all other requirements for renewal of the license
13 have been satisfied. Failure to renew a license on or before the
14 expiration date automatically renders the license invalid without any
15 action by the board.

16 SECTION 2. IC 15-5-1.1-18 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) A registration

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certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of ~~each even-numbered the fourth~~ year **after issuance or last renewal** but may be renewed by application to the board and payment of the proper renewal fee. In accordance with IC 25-1-5-4(c), the bureau shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The bureau shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 3. IC 25-1-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. ~~Effective October 1, 1961, such~~
(a) As used in this section, licensing agency refers to any of the following:

- (1) Indiana board of accountancy.**
- (2) Indiana auctioneer commission.**
- (3) Board of registration for architects and landscape architects.**
- (4) State board of barber examiners.**
- (5) State board of cosmetology examiners.**
- (6) Medical licensing board of Indiana.**
- (7) State board of dentistry.**
- (8) State board of funeral and cemetery service.**
- (9) Indiana state board of health facility administrators.**
- (10) Committee of hearing aid dealer examiners.**
- (11) Indiana state board of nursing.**
- (12) Indiana optometry board.**
- (13) Indiana board of pharmacy.**
- (14) Indiana plumbing commission.**
- (15) Board of podiatric medicine.**
- (16) State board of registration for professional engineers.**
- (17) Board of environmental health specialists.**
- (18) State psychology board.**
- (19) Indiana real estate commission.**
- (20) Speech-language pathology and audiology board.**
- (21) Board of chiropractic examiners.**
- (22) Indiana board of veterinary medical examiners.**
- (23) Indiana physical therapy committee.**



(24) Respiratory care committee.

(25) Occupational therapy committee.

(26) Social worker, marriage and family therapist, and mental health counselor board.

(27) Real estate appraiser licensure and certification board.

(28) State board of registration for land surveyors.

(29) Physician assistant committee.

(30) Indiana dietitians certification board.

(31) Indiana hypnotist committee.

(b) A licensing agencies as are authorized to issue any of the foregoing agency shall issue and reissue such licenses and collect the fees for the same licenses on the basis of ~~two (2)~~ **four (4)** years and the dates by month and day which govern the issuance or reissuance of licenses for ~~one (1)~~ **year as otherwise provided by law** shall govern the issuance or reissuance of licenses for ~~two (2)~~ **four (4)** years. ~~provided, that The entire fees fee for a two (2) four (4) year period shall must be payable paid before issuance thereof of a license on the day and month designated for payment of fees. for one (1) year licenses.~~

SECTION 4. IC 25-1-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. Rebates and proration of fees for fractions of a ~~biennium~~ **four (4) year period** shall be allowed only with respect to the ~~second last~~ **year** of ~~such the~~ license if claim be made therefor before the expiration of the ~~first third~~ **year** for which the license was issued.

SECTION 5. IC 25-1-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The bureau shall be administered by an executive director appointed by the governor, who shall serve at the will and pleasure of the governor.

(b) The executive director must be qualified by experience and training.

(c) The term "executive director" or "secretary", or any other statutory term for the administrative officer of a board listed in section 3 of this chapter, means the executive director of the bureau or the executive director's designee.

(d) The executive director is the chief fiscal officer of the bureau and is responsible for hiring of all staff, and for procurement of all services and supplies in accordance with IC 5-22. The executive director and the employees of the bureau are subject to IC 4-15-1.8 but are not under IC 4-15-2. The executive director may appoint not to exceed three (3) deputy directors, who must be qualified to work for the boards which are served by the bureau.



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(e) The executive director shall execute a bond payable to the state, with surety to consist of a surety or guaranty corporation qualified to do business in Indiana, in an amount fixed by the state board of accounts, conditioned upon the faithful performance of duties and the accounting for all money and property that come into the executive director's hands or under the executive director's control. The executive director may likewise cause any employee of the bureau to execute a bond if that employee receives, disburses, or in any way handles funds or property of the bureau. The costs of any such bonds shall be paid from funds available to the bureau.

(f) The executive director may present to the general assembly legislative recommendations regarding operations of the bureau and the boards it serves. ~~including adoption of four (4) year license or certificate renewal cycles wherever feasible.~~

(g) The executive director may execute orders, subpoenas, continuances, and other legal documents on behalf of a board or committee when requested to do so by the board or committee.

(h) The executive director or the executive director's designee may, upon request of a board or committee, provide advice and technical assistance on issues that may be presented to the boards or committees.

SECTION 6. IC 25-1-6-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The licensing agency shall be administered by an executive director appointed by the governor who shall serve at the will and pleasure of the governor.

(b) The executive director must be qualified by experience and training.

(c) The term "executive director" or "secretary", or any other statutory term for the administrative officer of a board listed in section 3 of this chapter, means the executive director of the licensing agency or his designee.

(d) The executive director is the chief fiscal officer of the licensing agency and is responsible for hiring of all staff and for procurement of all services and supplies in accordance with IC 5-22. The executive director and the employees of the licensing agency are subject to IC 4-15-1.8 but are not under IC 4-15-2. The executive director may appoint no more than three (3) deputy directors, who must be qualified to work for the boards which are served by the licensing agency.

(e) The executive director shall execute a bond payable to the state, with surety to consist of a surety or guaranty corporation qualified to do business in Indiana, in an amount fixed by the state board of accounts, conditioned upon the faithful performance of duties and the accounting for all money and property that come into the executive director's hands

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or under the executive director's control. The executive director may likewise cause any employee of the licensing agency to execute a bond if that employee receives, disburses, or in any way handles funds or property of the licensing agency. The costs of any such bonds shall be paid from funds available to the licensing agency.

(f) The executive director may present to the general assembly legislative recommendations regarding operations of the licensing agency and the boards it serves. ~~including adoption of four (4) year license or certificate renewal cycles wherever feasible.~~

SECTION 7. IC 25-1-8-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) A board ~~operating on a quadrennial license, registration, or certificate renewal cycle,~~ shall refund one-half (1/2) of the amount of the license, registration, or certificate fee if the holder of the license, registration, or certificate surrenders it at least two (2) years before it expires.

(b) This section does not apply to the holder of a license, registration, or certificate revoked or suspended by the board.

SECTION 8. IC 25-2.1-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. An initial and renewed certificate expires ~~at the earlier of the following:~~

~~(1) Three (3) four (4) years after issuance or last renewal.~~

~~(2) At a time established by the board.~~

SECTION 9. IC 25-2.1-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) Except as provided in subsection (c), to renew a certificate under this chapter an applicant must complete one hundred ~~twenty (120) sixty (160)~~ hours of continuing professional education during a ~~three (3) four (4)~~ year period with a minimum of twenty (20) hours each year.

(b) The board may prescribe the content, duration, and organization of continuing professional education courses that contribute to the general professional competence of the applicant.

(c) If a licensee desires to discontinue the practice of accountancy in Indiana, the licensee may select inactive status on the renewal form. A licensee selecting inactive status may renew a certificate under this chapter without completing the continuing professional education courses required by subsection (a).

(d) The board may establish the following:

(1) Prorated continuing professional education requirements to be met by applicants whose initial certificates were issued substantially less than ~~three (3) four (4)~~ years before the renewal date.

(2) Special lesser requirements to be met by applicants for

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certificate renewal whose prior certificates lapsed substantially before their applications for renewal or for an inactive licensee who wishes to reactivate the licensee's license, when it would be inequitable to require a full compliance with all requirements of continuing professional education that would have been applicable to the period of lapse.

SECTION 10. IC 25-2.1-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. An initial and renewed certificate expires ~~at the earlier of the following:~~

(1) ~~Three (3)~~ **four (4)** years after issuance **or last renewal.**

(2) ~~At a time established by the board:~~

SECTION 11. IC 25-2.1-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The board may adopt rules that require as a condition to renew a permit under this chapter, that an applicant undergo, not more than once every ~~three (3)~~ **four (4)** years, a quality review conducted in a manner the board specifies.

(b) If the board adopts rules under subsection (a) the rules must:

(1) be adopted reasonably in advance of the time when a quality review first becomes effective;

(2) include reasonable provision for compliance by an applicant showing that the applicant has in the preceding ~~three (3)~~ **four (4)** years undergone a quality review that is a satisfactory equivalent to the quality review required under this section;

(3) require, with respect to quality reviews under subdivision (2), that the quality review be subject to review by an oversight body established or sanctioned by the board that shall periodically report to the board on the effectiveness of the review program and provide to the board a listing of firms that have participated in a quality review program; and

(4) require, with respect to quality reviews under subdivision (2), that:

(A) the proceedings, records, and work papers of a review committee are privileged and are not subject to discovery, subpoena, or other means of legal process or introduction into evidence in a civil action, arbitration, administrative proceeding, or Indiana board of accountancy proceeding; and

(B) that a member of the review committee or individual who was involved in the quality review process is not permitted or required to testify in a civil action, arbitration, administrative proceeding, or Indiana board of accountancy proceeding to matters:

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- (i) produced, presented, disclosed or discussed during, or in connection with, the quality review process; or
- (ii) that involve findings, recommendations, evaluations, opinions, or other actions of the committee or a committee member.

SECTION 12. IC 25-4-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) Every registered architect who continues in active practice shall, ~~biennially, on or before~~ **not later than November 2 every fourth year**, renew the registered architect's certificate of registration and pay the required renewal fee. Every license or certificate of registration that has not been renewed during the month of November in any year expires on December 1 in that year. A registered architect whose certificate of registration has expired may have the certificate restored only upon payment of the required restoration fee.

(b) Subject to subsection (c), any architect registered or licensed in this state who has failed to renew the architect's certificate of registration for a period of not more than five (5) years may have the certificate renewed at any time within a period of five (5) years after the registration expired upon:

- (1) making application to the board for renewal of the registration; and
- (2) paying a renewal fee equal to the sum of the renewal fees that the applicant would have paid if the applicant had regularly renewed the applicant's registration during the period that the applicant's registration lapsed.

(c) If any registered architect desires to retire from the practice of architecture in Indiana, the architect may submit to the board the architect's verified statement of intention to withdraw from practice. The statement shall be entered upon the records of the board. During the period of the architect's retirement, the architect is not liable for any renewal or restoration fees. If any retired architect desires to return to the practice of architecture in Indiana within a period of five (5) years from the date that the architect files a statement under this subsection, the retired architect must:

- (1) file with the board a verified statement indicating the architect's desire to return to the practice of architecture; and
- (2) pay:
 - (A) a renewal fee equal to the fee set by the board to renew an unexpired registration under this chapter, if the retired architect's registration is renewed for ~~one (1) year~~ **two (2) years** or more in a ~~biennial~~ renewal cycle established under

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subsection (a); or

(B) a renewal fee equal to one-half (1/2) the fee set by the board to renew an unexpired registration under this chapter, if the retired architect's registration is renewed for less than ~~one~~ **(+) year two (2) years** in a ~~biennial~~ renewal cycle established under subsection (a).

SECTION 13. IC 25-4-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. **(a)** The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration as a registered architect, shall be twenty-five dollars ~~(\$25.00): (\$25).~~

(b) The fee to be paid by an applicant for a certificate of registration as a registered architect shall be ~~twenty-five~~ **fifty** dollars ~~(\$25.00): (\$50).~~

(c) The fee to be paid for the restoration of an expired certificate of registration as a registered architect shall be one dollar ~~(\$1.00) (\$1)~~ after the certificate has been in default for one (1) month, and an additional one dollar ~~(\$1.00) (\$1)~~ for each succeeding month or fraction thereof of such default but not exceeding a maximum restoration fee of ten dollars ~~(\$10.00): (\$10).~~ Such restoration fee shall be in addition to all unpaid renewal fees.

(d) The fee to be paid upon renewal of a certificate of registration shall be ~~fifteen~~ **thirty** dollars ~~(\$15.00): (\$30).~~

(e) The fee to be paid by an applicant for a certificate of registration who is an architect registered or licensed under the laws of another state or territory of the United States, or of a foreign country or province, shall be ~~twenty-five~~ **fifty** dollars ~~(\$25.00): (\$50).~~

SECTION 14. IC 25-4-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The board shall set the fees for issuance of a certificate of registration to a landscape architect and for ~~the biennial~~ renewal of registration **every four (4) years**. The fee for registration and for renewal of registration must be based upon the administrative costs of registering and regulating landscape architects. This fee must include the costs for:

- (1) office facilities, supplies, and equipment; and
- (2) clerical assistance.

(b) All fees collected under this chapter shall be paid by the Indiana professional licensing agency to the treasurer of state who shall deposit them in the general fund of the state.

SECTION 15. IC 25-5.1-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) A license issued by the board expires on a date established by the bureau under

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1 IC 25-1-5-4 in each even-numbered year: **four (4) years after issuance**
 2 **or last renewal.**

3 (b) An individual may renew a license by paying a renewal fee not
 4 later than the expiration date of the license.

5 (c) If an individual fails to timely pay a renewal fee as required by
 6 subsection (b), the individual's license becomes invalid without any
 7 action being taken by the board.

8 SECTION 16. IC 25-6.1-3-2 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Every individual,
 10 before acting as an auctioneer, must obtain a license from the
 11 commission.

12 (b) An applicant for a license must:

- 13 (1) be at least eighteen (18) years of age;
- 14 (2) have completed at least eighty (80) actual hours of auction
- 15 instruction from a course provider approved by the commission;
- 16 (3) not have a conviction for:
 - 17 (A) an act which would constitute a ground for disciplinary
 - 18 sanction under IC 25-1-11; or
 - 19 (B) a felony that has a direct bearing on the applicant's ability
 - 20 to practice competently.

21 (c) Auction instruction required under subsection (b) must provide
 22 the applicant with knowledge of all of the following:

- 23 (1) The value of real estate and of various goods commonly
- 24 sold at an auction.
- 25 (2) Bid calling.
- 26 (3) Sale preparation, sale advertising, and sale summary.
- 27 (4) Mathematics.
- 28 (5) The provisions of this article and the commission's rules.
- 29 (6) Any other subject matter approved by the commission.

30 (d) An individual seeking an initial license as an auctioneer under
 31 this article shall file with the commission a completed application on
 32 the form prescribed by the commission. When filing an initial
 33 application for an auctioneer license, each individual shall:

- 34 (1) pay a nonrefundable examination fee of thirty-five dollars
- 35 (\$35); and
- 36 (2) pay a surcharge under IC 25-6.1-8 for deposit in the
- 37 auctioneer recovery fund.

38 (e) When filing an application for a renewal of an auctioneer
 39 license, each individual shall do the following:

- 40 (1) File with the commission a completed application on the form
- 41 prescribed by the commission, including certification by the
- 42 applicant that the applicant has complied with the requirements

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of IC 25-6.1-9-8, unless the commission has granted the applicant a waiver under IC 25-6.1-9-9.

(2) Pay the license fee prescribed by section 5 of this chapter.

(f) Upon the receipt of a completed application for an initial or a renewal license, the commission shall examine the application and verify the information contained therein.

(g) An applicant who is seeking an initial license must pass an examination prepared and administered by the commission. The commission shall hold examinations as the commission may prescribe. The examination for an auctioneer's license shall include questions on the applicant's:

(1) ability to read and write;

(2) knowledge of the value of real estate and of various goods commonly sold at an auction;

(3) knowledge of calling;

(4) knowledge of sale preparation, sale advertising, and sale summary;

(5) knowledge of mathematics; and

(6) knowledge of the provisions of this article and the commission's rules.

(h) The commission shall issue an auctioneer's license, in such form as it may prescribe, to each individual who meets all of the requirements for licensing and pays the appropriate fees.

(i) Auctioneer licenses shall be issued for a term of ~~two (2)~~ **four (4)** years. A license expires at midnight February 28 of the ~~next even-numbered~~ **fourth** year following the year in which the license is issued ~~or last renewed~~, unless renewed before that date. If the license has expired, it may be reinstated not more than one (1) year after the date it expired upon the payment of the renewal fee plus the sum of twenty-five dollars (\$25) and submission of proof that the applicant has complied with the continuing education requirement. If the license has expired for a period of more than one (1) year, the person must file an application and take the required examination. However, an applicant for restoration of an expired license is not required to complete the initial eighty (80) hour education requirement under this section in order to restore the expired license. The holder of an expired license shall cease to display the original wall certificate at the holder's place of business and shall return the wall certificate to the commission upon notification by the commission of the expiration of the holder's license.

(j) The commission may waive the requirement that a nonresident applicant pass an examination and that the nonresident submit written statements by two (2) individuals, if the nonresident applicant:

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(1) is licensed to act as an auctioneer in the state of the applicant's domicile;

(2) submits with the application a duly certified letter of certification issued by the licensing board of the applicant's domiciliary state;

(3) is a resident of a state whose licensing requirements are substantially equal to the requirements of Indiana;

(4) is a resident of a state that grants the same privileges to the licensees of Indiana; and

(5) includes with the application an irrevocable consent that actions may be commenced against the applicant. The consent shall stipulate that service of process or pleadings on the commission shall be taken and held in all courts as valid and binding as if service of process had been made upon the applicant personally within this state. If any process or pleading mentioned in this subsection is served upon the commission, it shall be by duplicate copies. One (1) of the duplicate copies shall be filed in the office of the commission and one (1) shall be immediately forwarded by the commission by registered or certified mail to the applicant against whom the process or pleadings are directed.

(k) The commission may enter into a reciprocal agreement with another state concerning nonresident applicants.

(l) The commission may, for good cause shown, upon the receipt of an application for a license, issue a temporary permit for such reasonable period of time, not to exceed one (1) year, as the commission deems appropriate. A temporary permit has the same effect as a license and entitles and subjects the permittee to the same rights and obligations as if the individual had obtained a license.

(m) An applicant for a temporary permit must do the following:

(1) File an examination application.

(2) Pass the examination at one (1) of the next two (2) regularly scheduled examinations.

(n) An individual who does not pass the examination required under subsection (m) may not be issued a temporary permit.

SECTION 17. IC 25-6.1-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) This section does not apply to an organization that operates a wholesale dealer automobile auction.

(b) Every person, before operating an auction house, must obtain a license from the commission for that auction house.

(c) Except as provided in subsection (d), before applying for a license from the commission to operate an auction house, the following

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1 must obtain a license as an auctioneer as provided in section 2 of this
2 chapter:

3 (1) An individual who seeks to operate an auction house.

4 (2) One (1) or more individuals designated by an organization that
5 seeks to operate an auction house.

6 (d) Subsection (c) does not apply to:

7 (1) a person that holds a valid license for an auction house as of
8 June 30, 1998; or

9 (2) a person that holds a valid renewal of a license described in
10 subdivision (1).

11 (e) Every applicant seeking to operate an auction house shall file
12 with the commission a completed application on a form provided by
13 the commission for a license for each auction house to be operated by
14 that person. Each application shall be accompanied by the license fee
15 prescribed by section 5 of this chapter and a surcharge described in
16 IC 25-6.1-8-2.

17 (f) Upon the receipt of a completed application for an initial or a
18 renewal license, the commission shall examine the application and may
19 verify the information contained therein.

20 (g) If the commission determines that the application has been
21 completed and that the statements made therein by the applicant are
22 true, the commission shall issue a license, in such form as it may
23 prescribe, for such auction house.

24 (h) Auction house licenses shall expire at midnight February 28 of
25 the ~~next even-numbered~~ **fourth** year following the year in which the
26 license is issued **or last renewed**. A renewal license with a term of ~~two~~
27 **(2) four (4)** years shall be issued if an application is for a renewal
28 license.

29 SECTION 18. IC 25-6.1-3-5 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) At the time of
31 obtaining a license under this chapter, the licensee shall pay the license
32 fee prescribed by this section.

33 (b) The fee for the license issued to any person, auction company,
34 or auction house during each licensing period is ~~thirty-five~~ **seventy**
35 dollars ~~(\$35)~~ **(\$70)**.

36 (c) The full amount of the prescribed license fee is due and payable
37 by the applicant for the license, regardless of the length of the
38 unexpired portion of the licensing period that exists at the time of the
39 issuance of the license in question.

40 SECTION 19. IC 25-6.1-9-4 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The approval for
42 a sponsor expires February 28 ~~each even-numbered~~ **of the fourth** year

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1 **after the year approval is given.**

2 (b) A sponsor must submit:

3 (1) a letter requesting renewal of approval; and

4 (2) the renewal fee;

5 at least thirty (30) days before the sponsor's approval expires.

6 SECTION 20. IC 25-6.1-9-7 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. A licensee who is
8 initially licensed in the ~~second last~~ year of a renewal period is exempt
9 from the continuing education requirement under this chapter for that
10 renewal period.

11 SECTION 21. IC 25-7-6-11 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. ~~(a)~~ All licenses
13 issued or renewed under this article ~~other than those described in~~
14 ~~subsection (b)~~ are valid for four (4) years.

15 ~~(b) Barber school licenses are valid for two (2) years.~~

16 SECTION 22. IC 25-7-11-2 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) The board shall
18 charge a fee of ~~three six~~ hundred dollars ~~(\$300)~~ **(\$600)** for an
19 application to issue or renew a barber school license.

20 (b) In addition to the fee charged under subsection (a), the board
21 shall charge a fee for restoring a barber school license.

22 (c) The fee charged under subsection (b) shall be determined by the
23 date that the applicant applies for the restoration of the license as
24 follows:

25 Number of days following	
26 expiration of license	Fee
27 0-30	\$0
28 31-180	\$150
29 181-191	\$200

30 (d) The fee charged under subsection (b) shall be accompanied by
31 all unpaid renewal fees.

32 (e) A barber school license may not be restored if at least one
33 hundred ninety-two (192) days have passed since the license expired.
34 However, the barber school may obtain a new license by:

35 (1) making application;

36 (2) meeting the requirements for licensure; and

37 (3) paying a fee of four hundred dollars (\$400).

38 SECTION 23. IC 25-8-15.4-6 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. To obtain a license
40 to operate a tanning facility, a person must do the following:

41 (1) Submit an application to the board on a form prescribed by the
42 board.



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(2) Pay a fee of ~~two~~ **four** hundred dollars (~~\$200~~): **(\$400)**.

SECTION 24. IC 25-8-15.4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) A license issued under this chapter expires ~~July 1 following the~~ **July 1 of the fourth year** following the date the license is issued **or last renewed**.

(b) The board shall renew a license issued under this chapter if the person that operates the facility does the following:

(1) Submits a renewal application to the board on a form prescribed by the board before the license expires.

(2) Has complied with this chapter and rules adopted under this chapter.

(3) Has allowed the board to inspect the tanning facility.

SECTION 25. IC 25-10-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) A license issued under this chapter is valid until the next renewal date described under subsection (b).

(b) ~~All licenses~~ **A license** issued by the board ~~shall be subject to renewal expires~~ **on July 1 in each even-numbered of the fourth year after issuance or last renewal**. A renewal license fee established by the board shall be paid **to the board** before July 1 ~~in each even-numbered year to the board~~, **of the year the license expires**, and if not paid on or before that date, the license expires and becomes invalid without any action taken by the board. A new license may be issued only upon application and the payment of a fee established by the board. All licenses shall be displayed in the office or the place of practice of the licensee.

(c) Each applicant for renewal shall furnish evidence of attendance during each preceding licensing year at not less than one (1) chiropractic educational conference or seminar approved by the board. The conference or seminar may be conducted by an established chiropractic organization or college. This requirement does not apply to the applicant's first licensing year. If an applicant fails to comply with this subsection, the applicant's license expires and becomes invalid at midnight of the renewal date and may be reinstated only upon application and the payment of a fee established by the board and proper showing to the board that there has been a makeup by the applicant of the omitted educational work.

(d) Any chiropractor licensed to practice chiropractic in this state who intends to retire from practice shall notify the board in writing of the chiropractor's intention to retire and shall surrender the license to the board. Upon receipt of this notice and license, the board shall record the fact that the chiropractor is retired and excuse the person

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from further payment of license renewal fees and attendance at license renewal seminars. If any chiropractor surrenders the license to practice chiropractic in this state, the chiropractor's reinstatement may be considered by the board on the chiropractor's written request. If any disciplinary proceedings under this chapter are pending against a chiropractor, the chiropractor may not surrender the license without the written approval of the board.

(e) Any chiropractor licensed to practice chiropractic in this state who intends to become inactive in the practice of chiropractic shall notify the board in writing that the chiropractor will not maintain an office or practice chiropractic in Indiana. The board shall then classify the chiropractor's license as inactive. The renewal fee of the inactive license is one-half (1/2) of the license renewal fee, and the chiropractor shall not be required to attend license renewal seminars. If a chiropractor holding an inactive license intends to maintain an office or practice chiropractic, the chiropractor shall notify the board of that intent. The board may reinstate that chiropractor's license upon notification and receipt of:

- (1) an application;
- (2) payment of the current renewal fee;
- (3) payment of the current reinstatement fee; and
- (4) evidence of attendance of one (1) educational conference approved by the board for each year or portion of a year of inactive license classification.

(f) The board shall discipline a practitioner of the chiropractic in accordance with IC 25-1-9.

SECTION 26. IC 25-11-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) Any person desiring to conduct a collection agency shall make an application to the secretary of state upon such forms as may be prescribed by the secretary of state. Such application shall include the following:

- (1) If the applicant is an individual:
 - (A) the individual's name;
 - (B) the individual's residence address;
 - (C) the address of each location from which the individual carries out the activities of the collection agency; and
 - (D) a statement that the individual satisfies the qualifications set forth in section 4 of this chapter.
- (2) If the applicant is a partnership:
 - (A) the name of each partner;
 - (B) the business address of the partnership;
 - (C) the residence address of at least one (1) of the partners;



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(D) the address of each location from which the partnership carries out the activities of the collection agency; and
 (E) a statement that each partner in the partnership satisfies the qualifications set forth in section 4 of this chapter.

(3) If the applicant is a limited liability company:

(A) the date and place of organization;
 (B) the name of the limited liability company;
 (C) the business address of the limited liability company;
 (D) the residence address of at least one (1) of the managers or members of the limited liability company; and
 (E) a statement that each of the managers and members in the limited liability company satisfies the qualifications set forth in section 4 of this chapter.

(4) If the applicant is a corporation:

(A) the date and place of incorporation;
 (B) the name of the corporation;
 (C) the business address of the corporation;
 (D) the residence address of at least one (1) of the officers of the corporation; and
 (E) a statement that each of the officers of the corporation satisfies the qualifications set forth in section 4 of this chapter.

The application shall be duly sworn to before an officer qualified to administer oaths. The application shall set forth therein any other verified information which will assist the secretary of state in determining the qualifications of the applicant to meet the requirements of a collection agency as ~~hereinunder~~ set forth **in this article**.

(b) Every original and renewal application of any person desiring to conduct a collection agency shall be accompanied by a fee of ~~one two~~ **one hundred dollars (\$100) (\$200)** plus an additional fee of ~~thirty sixty~~ **dollars (\$30) (\$60)** for each branch office operated by the applicant whether as sole owner, partnership, limited liability company, or corporation.

(c) Any person desiring to secure a renewal of a collection agency license shall make a renewal application to the secretary of state not later than January 1 of the year following the year in which the person's license expires under section 5 of this chapter. The application shall be made on such forms as the secretary of state may prescribe. Such application shall contain therein verified information that will assist the secretary of state in determining whether or not the applicant is in default, or is in violation of any of the provisions of this chapter, and whether or not the applicant has at all times complied with the requirements of this chapter in the operation of the applicant's

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1 collection agency.

2 (d) Each renewal application shall be accompanied by the renewal
3 fee and an additional fee of ~~thirty~~ **sixty** dollars (~~\$30~~) (**\$60**) for each
4 branch office maintained and operated by the applicant.

5 (e) Every original and renewal application shall be accompanied by
6 the following:

7 (1) A corporate surety bond in the sum of five thousand dollars
8 (\$5,000) for each office the applicant operates in the state of
9 Indiana. All bonds shall run to the people of the state of Indiana
10 and shall be furnished by a surety company authorized to do
11 business in this state. All bonds shall be conditioned upon the
12 faithful accounting of all money collected upon accounts
13 entrusted to such person and shall be continuous in form and shall
14 remain in full force and effect and run continuously with the
15 license period and any renewal thereof. All bonds shall further be
16 conditioned upon the provision that the applicant shall, within
17 sixty (60) days from the date of the collection of any claim, render
18 an account of and pay to the client, for whom collection has been
19 made, the proceeds of such collection less the charges for
20 collection agreed upon by and between the applicant and the
21 client. All bonds shall be filed in the office of the secretary of
22 state and shall be approved by the secretary of state before being
23 filed. All bonds filed and approved shall be for the use and benefit
24 of all persons damaged by the wrongful conversion of any money
25 by such person, and any individual so injured or aggrieved may
26 bring an action upon such bond. The surety company may notify
27 the secretary of state and principal of its desire to terminate its
28 liability under any bond furnished. Thirty (30) days after receipt
29 of such notice by the secretary of state, the secretary of state shall
30 thereupon require the principal to file a new bond or discontinue
31 all operations. If a new bond is filed by the principal all liability
32 under any previous bond shall thereupon cease and terminate. If
33 a new bond shall not be filed within the thirty (30) day period
34 above specified the secretary of state shall, after expiration of the
35 period, revoke the principal's license.

36 (2) Any applicant who is a nonresident of the state of Indiana
37 shall also submit a statement appointing an agent or attorney
38 resident herein, upon whom all legal process against the applicant
39 may be served. The statement shall contain a stipulation that the
40 applicant agrees that service of legal process upon such agent or
41 attorney shall be valid service upon the applicant.

42 SECTION 27. IC 25-11-1-5 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) The secretary of
 2 state shall investigate the qualifications of the applicant and if the
 3 applicant meets the qualifications of this chapter the secretary of state
 4 shall approve the application. If the application is approved the license
 5 shall be issued forthwith to the applicant. All licenses are valid for ~~two~~
 6 **(2) four (4)** years and shall expire on ~~the thirty-first day of~~ December
 7 **31** of the **fourth** year following the year in which the license was
 8 issued **or last renewed**. If the application for a license is denied, the
 9 application fees shall be retained by the secretary of state.

10 (b) The secretary of state shall issue a license to any person who
 11 holds and presents with the application a valid and subsisting license
 12 to operate a collection agency issued by another state or state agency
 13 if:

14 (1) the requirements for the securing of such license were, at the
 15 time of issuance, substantially the same or equal to the
 16 requirements imposed by this chapter;

17 (2) the state concerned extends reciprocity under similar
 18 circumstances to licensed collection agencies of this state; and

19 (3) the application is accompanied by the fees and financial
 20 bonding requirements as provided in this chapter.

21 (c) In the event of the death of an individual licensee, the dissolution
 22 of a licensee partnership by death or operation of law, or the
 23 termination of employment of the active manager if the licensee is a
 24 firm, partnership, limited liability company, or corporation, upon a
 25 showing that the bonding requirements provided for in this chapter are
 26 complied with, the secretary of state shall issue, without a fee, a
 27 provisional license to the personal representative of the deceased, the
 28 personal representative's appointee, the surviving partner, the firm, the
 29 limited liability company, or the corporation, as the case may be, which
 30 shall be for the following purposes only and shall expire at the
 31 following times:

32 (1) A provisional license issued to a personal representative or a
 33 personal representative's appointee expires one (1) year from the
 34 date of the issuance and shall not be subject to renewal. The
 35 authority of the provisional license so issued shall be limited to
 36 such activities as may be necessary to terminate the business of
 37 the former licensee.

38 (2) All other provisional licenses expire three (3) months from the
 39 date of issuance unless the provisional licensee, within this
 40 period, can meet the requirements for a full license as provided in
 41 this chapter.

42 (d) A nonresident collection agency that has only incidental contact

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with a debtor is not required to be licensed under this chapter. As used in this subsection, "incidental contact" means contact on behalf of nonresident creditors using interstate communications, including telephone, mail service, or facsimile transmissions.

SECTION 28. IC 25-13-1-8, AS AMENDED BY P.L.44-2000, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) A license to practice dental hygiene in Indiana shall be issued to candidates who pass the board's examinations. The license shall be valid for the remainder of the renewal period in effect on the date the license was issued.

(b) Prior to the issuance of the license, the applicant shall pay a fee set by the board under section 5 of this chapter. A license issued by the board expires on a date specified by the health professions bureau under IC 25-1-5-4(k) of ~~each even-numbered~~ **the fourth year after issuance or last renewal**. An applicant for license renewal must satisfy the following conditions:

(1) Pay the renewal fee set by the board under section 5 of this chapter on or before the renewal date specified by the health professions bureau. ~~in each even-numbered year.~~

(2) Provide the board with a sworn statement signed by the applicant attesting that the applicant has fulfilled the continuing education requirements under IC 25-13-2.

(3) Be currently certified or successfully complete a course in basic life support through a program approved by the board. The board may waive the basic life support requirement for applicants who show reasonable cause.

(c) If the holder of a license does not renew the license on or before the renewal date specified by the health professions bureau, the license expires and becomes invalid without any action by the board.

(d) A license invalidated under subsection (c) may be reinstated by the board up to three (3) years after such invalidation upon payment to the board by the holder of the invalidated license of a penalty fee set by the board under section 5 of this chapter plus all past due and current renewal fees.

(e) If a license remains invalid under subsection (c) for more than three (3) years, the holder of the invalid license may obtain a reinstated license if the holder meets the following requirements:

(1) Files an application with the board on a form and in a manner prescribed by the board.

(2) Pays all current and past due renewal fees and a penalty fee set by the board under section 5 of this chapter.

(3) Passes an examination on state and federal laws that are

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relevant to the practice of dental hygiene as determined by the board.

(4) Has been continuously engaged in the practice of dental hygiene from the date the holder's license was invalidated through the date the holder applies for reinstatement.

(5) Other than failing to renew the license, has complied with this chapter and the rules adopted under this chapter during the time specified under subdivision (4).

(6) Complies with any other requirements established by the board under subsection (g).

The board may require the holder of an invalid license who files an application under this subsection to appear before the board and explain why the holder failed to renew the license.

(f) If the lapse of time in revalidating the license continues beyond three (3) years, and the holder of the invalid license does not meet the requirements under subsection (e), the holder of the invalid license must apply for licensure under section 4 or 17 of this chapter. In addition, the board may require the holder of the expired license to pay all past due renewal fees and a penalty fee set by the board under section 5 of this chapter.

(g) The board may adopt rules under section 5 of this chapter establishing requirements for the reinstatement of an invalidated license.

(h) The license to practice must be displayed at all times in plain view of the patients in the office where the holder is engaged in practice. No person may lawfully practice dental hygiene who does not possess a license and its current renewal.

(i) ~~Biennial~~ Renewals of licenses are subject to the provisions of IC 25-1-2.

SECTION 29. IC 25-13-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. As used in this chapter, "license period" means the ~~two (2)~~ **four (4)** year period beginning on March 2, ~~1992~~, **2002**, and every ~~two (2)~~ **four (4)** years thereafter.

SECTION 30. IC 25-13-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) A dental hygienist must complete at least ~~fourteen (14)~~ **twenty-eight (28)** credit hours in continuing education courses each license period.

(b) Credit hours may be applied under this section only toward the credit hour requirement for the license period during which the credit hours are earned.

(c) During a license period, a dental hygienist may not earn more

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than ~~five (5)~~ **ten (10)** credit hours toward the requirements under this section for continuing education courses that relate specifically to the area of practice management.

(d) Not more than ~~two (2)~~ **four (4)** credit hours for certification programs in basic life support required under IC 25-13-1-8(b)(3) may be applied toward the credit hour requirement during each license period.

SECTION 31. IC 25-13-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7. Credit hours under section 6 of this chapter must be awarded as follows:

(1) A course presented by a college under a regular curriculum is awarded one (1) credit hour for each lecture hour attended.

(2) A course not listed in subdivision (1) is awarded one (1) credit hour for each lecture hour and two (2) credit hours for each participation hour of the course.

(3) A speech, lecture, or other presentation by a dental hygienist is awarded two (2) credit hours if the following conditions are met:

(A) The presentation concerns a subject that would be suitable for a continuing education course.

(B) The subject of the presentation is eligible for credit only one (1) time, regardless of the number of times the subject is presented.

(C) The dental hygienist maintains a record of the time, place, and date of the presentation.

(D) The presentation is sponsored by an approved organization.

(E) Not more than ~~four (4)~~ **eight (8)** credit hours are awarded to the dental hygienist under this subdivision during any license period.

(4) Attendance at a state, regional, or national meeting sponsored by an approved organization is awarded one (1) credit hour.

(5) Attendance at a meeting of a study club that uses films, audio cassettes, live presentations, or written materials sponsored by the American Dental Hygienist Association is awarded one (1) credit hour. However, a dental hygienist may not receive credit under this subdivision for more than ~~four (4)~~ **eight (8)** credit hours during a license period.

(6) Attendance at a meeting of a study club featuring a guest speaker whose presentation concerns a subject suitable for a continuing education course is awarded one (1) credit hour for each hour attended.

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(7) A home study course that is presented by an approved organization and meets the requirements under this subdivision is awarded the same number of credit hours given to courses provided by a college. If the approved organization does not assess credit hours to a course under this subdivision, the course is awarded one (1) credit hour for each hour of study material. Subject matter of the course may be presented by written, audio, or video materials.

SECTION 32. IC 25-14-1-10, AS AMENDED BY P.L.44-2000, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) Unless renewed, a license issued by the board expires on a date specified by the health professions bureau under IC 25-1-5-4(k). An applicant for renewal shall pay the renewal fee set by the board under section 13 of this chapter on or before the renewal date specified by the health professions bureau.

(b) The license shall be properly displayed at all times in the office of the person named as the holder of the license, and a person may not be considered to be in legal practice if the person does not possess the license and renewal card.

(c) If a holder of a dental license does not secure the renewal card on or before the renewal date specified by the health professions bureau, without any action by the board the license together with any related renewal card is invalidated.

(d) Except as provided in section 27.1 of this chapter, a license invalidated under subsection (c) may be reinstated by the board up to three (3) years after its invalidation upon payment of a penalty fee determined by the board under section 13 of this chapter, together with all unpaid renewal fees for each year of delinquency.

(e) Except as provided in section 27.1 of this chapter, if a license remains invalid under subsection (c) for more than three (3) years, the holder of the invalid license may obtain a reinstated license if the holder meets the following requirements:

- (1) Files an application with the board on a form and in a manner prescribed by the board.
- (2) Pays all current and past due renewal fees and a penalty fee set by the board under section 13 of this chapter.
- (3) Passes an examination on state and federal laws that are relevant to the practice of dentistry as determined by the board.
- (4) Has been continuously engaged in the practice of dentistry from the date the holder's license was invalidated through the date the holder applies for reinstatement.
- (5) Other than failing to obtain a renewal card, has complied with



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1 this chapter and the rules adopted under this chapter during the
2 time specified under subdivision (4).

3 (6) Complies with any other requirements established by the
4 board under subsection (g).

5 The board may require the holder of an invalid license who files an
6 application under this subsection to appear before the board and
7 explain why the holder failed to renew the license.

8 (f) If a license remains invalid under subsection (c) for more than
9 three (3) years and the holder of the invalid license does not meet the
10 requirements under subsection (e), the holder of the invalid license may
11 be issued a license only by reapplying for a license under section 3 or
12 16 of this chapter. In addition, the board may require the holder of the
13 invalidated license to pay all past due renewal fees and a penalty fee set
14 by the board under section 13 of this chapter.

15 (g) The board may adopt rules under section 13 of this chapter
16 establishing requirements for the reinstatement of an invalid license.
17 The fee for a duplicate license to practice as a dentist is subject to
18 IC 25-1-8-2.

19 (h) ~~Biennial~~ Renewal of licenses is subject to IC 25-1-2.

20 (i) An application for renewal of a license under this section must
21 contain a sworn statement signed by the applicant attesting that the
22 applicant has fulfilled the continuing education requirements under
23 IC 25-14-3.

24 SECTION 33. IC 25-14-3-6 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. As used in this
26 chapter, "license period" means the ~~two (2)~~ **four (4)** year period
27 beginning on March 2, ~~1992~~, **2002**, and every ~~two (2)~~ **four (4)** years
28 thereafter.

29 SECTION 34. IC 25-14-3-8 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) A dentist must
31 complete at least ~~twenty (20)~~ **forty (40)** credit hours in continuing
32 education courses each license period.

33 (b) Credit hours may be applied under this section only toward the
34 credit hour requirement for the license period during which the credit
35 hours are earned.

36 (c) During a license period, a dentist may not earn more than ~~five~~
37 ~~(5)~~ **ten (10)** credit hours toward the requirements under this section for
38 continuing education courses that relate specifically to the area of
39 practice management.

40 SECTION 35. IC 25-14-3-9 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. Credit hours under
42 section 8 of this chapter must be awarded as follows:

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(1) A course presented by a college under a regular curriculum is awarded one (1) credit hour for each lecture hour attended.

(2) A course not listed in subdivision (1) is awarded one (1) credit hour for each lecture hour and two (2) credit hours for each participation hour of the course.

(3) A speech, lecture, or other presentation by a dentist is awarded two (2) credit hours if the following conditions are met:

(A) The presentation concerns a subject that would be suitable for a continuing education course.

(B) The subject of the presentation is eligible for credit only once, regardless of the number of times it is presented.

(C) The dentist maintains a record of the time, place, and date of the presentation.

(D) The presentation is sponsored by an approved organization.

(E) Not more than ~~four (4)~~ **eight (8)** credit hours are awarded to the dentist under this subdivision during a license period.

(4) Attendance at a state, regional, or national meeting sponsored by an approved organization is awarded one (1) credit hour.

(5) Attendance at a meeting of a study club that uses films, audio cassettes, live presentations, or written materials sponsored by the American Dental Association is awarded one (1) credit hour. However, a dentist may not receive credit under this subdivision for more than ~~four (4)~~ **eight (8)** credit hours during a license period.

(6) Attendance at a meeting of a study club featuring a guest speaker whose presentation concerns a subject suitable for a continuing education course is awarded one (1) credit hour for each hour attended.

(7) A home study course that is presented by an approved organization and meets the requirements under this subdivision is awarded the same number of credit hours given to courses provided by a college. If the approved organization does not assess credit hours to a course under this subdivision, the course is awarded one (1) credit hour for each hour of study material. Subject matter of the course may be presented by written, audio, or video materials.

SECTION 36. IC 25-14.5-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A certificate issued by the board expires on a date established by the bureau under IC 25-1-5-4 in the ~~next even-numbered~~ **fourth** year following the year in which the certificate was issued **or last renewed**.



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(b) An individual may renew a certificate by paying a renewal fee on or before the expiration date of the certificate.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a certificate, the certificate becomes invalid.

SECTION 37. IC 25-15-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. A license issued under this article expires on December 31 in ~~either:~~

~~(1) the next even-numbered year after it is issued; or~~

~~(2) the second even-numbered year after it is issued or last renewed.~~

~~as set by the board. However, a funeral director intern license expires two (2) years after it is issued by the board.~~

SECTION 38. IC 25-15-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. The board shall restore the expired license of an individual who:

(1) was licensed as a funeral director or embalmer;

(2) applies for restoration of the funeral director license or embalmer license within ~~two (2) years or~~ four (4) years of the date that the license expired; ~~as set by the board;~~

(3) pays a fee that is equal to:

(A) the fee set by the board for renewal of a funeral director license or embalmer license; or

(B) the fee set by the board for renewal of a funeral director license or embalmer license multiplied by the product of two (2) times the number of six (6) month periods that have elapsed from the date that the license expired;

whichever is greater; and

(4) meets the continuing education requirements set by the board.

SECTION 39. IC 25-17.6-5-1, AS AMENDED BY P.L.17-1999, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. A license issued under IC 25-17.6-4 expires ~~three (3) four (4) years after it is issued or last renewed,~~ at a time and date designated by the board.

SECTION 40. IC 25-19-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) Every holder of a health facility administrator's license shall renew it ~~biennially, on or before the license not later than~~ August 31 of ~~even-numbered years the fourth year after issuance or last renewal~~ by making an application to the board. The renewals shall be granted as a matter of course, unless the board finds, after due notice and hearing, that the applicant has acted or failed to act in a manner or under circumstances that would constitute grounds for nonrenewal, suspension, or

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1 revocation of a license.

2 (b) A health facility administrator's license expires at midnight on
3 the renewal date specified by the health professions bureau. Failure to
4 renew a license on or before the renewal date automatically renders the
5 license invalid.

6 (c) A person who fails to renew a license before it expires and
7 becomes invalid at midnight of the renewal date shall be reinstated by
8 the board upon payment of all current and delinquent renewal fees and
9 an additional late fee set by the board by rule. However, a person who
10 fails to apply to reinstate a license under this section within three (3)
11 years after the date the license expires and becomes invalid may be
12 issued a license by:

13 (1) filing an application in the form and manner prescribed by the
14 board;

15 (2) paying all current and delinquent renewal fees;

16 (3) paying a late fee set by the board by rule under section 4 of
17 this chapter; and

18 (4) submitting proof of completion of continuing education in an
19 amount set by the board by rule.

20 (d) The board may require an applicant under subsection (c) to
21 appear before the board to explain the applicant's failure to renew.

22 SECTION 41. IC 25-20-1-12 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) The board shall
24 issue hearing aid dealer certificates of registration which expire on
25 June 30 of ~~each even-numbered~~ **the fourth year after the certificate**
26 **is issued or last renewed.** To renew a hearing aid dealer certificate of
27 registration, the holder of the certificate must pay a renewal fee set by
28 the board before June 30 of ~~each even-numbered~~ **the year the**
29 **certificate expires.**

30 (b) If the holder of a certificate does not renew the holder's hearing
31 aid dealer certificate of registration ~~before June 30 of an~~
32 ~~even-numbered year,~~ **as provided in subsection (a),** the certificate
33 expires without any action taken by the board.

34 (c) A holder of a hearing aid dealer certificate of registration that
35 expires under this section may have the certificate reinstated by the
36 board if the holder pays the following:

37 (1) A late renewal fee set by the board.

38 (2) Unpaid renewal fees.

39 SECTION 42. IC 25-20-1-25 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 25. (a) This section
41 applies only to a registrant who has held a certificate issued under this
42 chapter for at least eighteen (18) months.

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(b) To renew a hearing aid dealer certificate of registration issued under this chapter, a registrant must complete at least ~~twenty (20)~~ **forty (40)** hours of credit in continuing education courses.

(c) To satisfy the requirements of subsection (b), a registrant may use only credit hours earned in continuing education courses completed by the registrant:

(1) after the last date the registrant renewed a certificate under this chapter; or

(2) if the registrant is renewing a certificate for the first time, after the date the registrant was issued the certificate under this chapter.

(d) A registrant may receive credit only for completing continuing education courses that have been approved by the committee, the American Speech-Language-Hearing Association, or the National Institute for Hearing Instrument Studies.

(e) When a registrant renews a certificate issued under this chapter, the registrant must submit:

(1) a continuing education statement that:

(A) is on a form provided by the board;

(B) is signed by the registrant under oath;

(C) lists the continuing education courses completed by the registrant to satisfy the continuing education requirements under this section; and

(D) includes a photocopy or other exact copy of the original certificate of completion; and

(2) any other information required by the board.

(f) A registrant shall retain a copy of the original certificate of completion received by the registrant for completion of a continuing education course.

SECTION 43. IC 25-20.5-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 18. (a) A certificate issued by the committee expires on a date established by the health professions bureau under IC 25-1-5-4 ~~in of the next even-numbered~~ **fourth** year following the year in which the certificate was issued ~~or last renewed~~.

(b) An individual may renew a certificate by paying a renewal fee on or before the expiration date of the certificate.

(c) If an individual fails to pay a renewal fee on or before the expiration date of a certificate, the certificate becomes invalid.

SECTION 44. IC 25-21.5-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. A certificate of registration expires on July 31 ~~in each even-numbered~~ **of the fourth**



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year **after issuance or last renewal.**

SECTION 45. IC 25-21.5-8-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. The failure on the part of a registrant to renew a certificate as required does not deprive the registrant of the right of renewal until the registrant's certificate has remained invalid ~~during two (2) biennial renewal periods;~~ **for four years.** After the elapsing of the two (2) biennial renewal periods, **four (4) years that a certificate is invalid,** further renewal shall be denied.

SECTION 46. IC 25-22.5-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) A license issued under this article expires on June 30 of ~~each odd-numbered~~ **the fourth** year **after issuance or last renewal.** Before June 30 of ~~an odd-numbered~~ **the year a license expires,** an applicant for renewal shall pay the ~~biennial~~ renewal fee set by the board under IC 25-22.5-2-7.

(b) If the holder of a license does not renew the license by June 30 of ~~each odd-numbered~~ **the year a license expires,** the license expires and becomes invalid without any action taken by the board. A license that becomes invalid under this subsection may be reinstated by the board up to three (3) years after the invalidation if the holder of the invalid license pays:

- (1) the penalty fee set by the board under IC 25-22.5-2-7; and
- (2) the renewal fee for the biennium.

(c) If a license that becomes invalid under this section is not reinstated by the board within three (3) years of its invalidation, the holder of the invalid license may be required by the board to take an examination for competence before the board will reinstate the holder's license.

(d) The board may adopt rules under IC 25-22.5-2-7 establishing requirements for the reinstatement of a lapsed license.

SECTION 47. IC 25-23-1-16.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16.1. (a) A license to practice as a registered nurse expires on October 31 ~~in each odd-numbered~~ **of the fourth year after issuance or last renewal.** Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

(b) A license to practice as a licensed practical nurse expires on October 31 ~~in each even-numbered~~ **of the fourth year after issuance or last renewal.** Failure to renew the license on or before the expiration date will automatically render the license invalid without any action by the board.

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(c) The procedures and fee for renewal shall be set by the board.

(d) At the time of license renewal, each registered nurse and each licensed practical nurse shall pay an additional ~~three six (\$6)~~ dollar (~~\$3~~) fee. The lesser of the following amounts from fees collected under this subsection shall be deposited in the impaired nurses account of the state general fund established by section 34 of this chapter:

(1) ~~Three Six dollars (\$3)~~ (\$6) per license renewed under this section.

(2) The cost per license to operate the impaired nurses program, as determined by the health professions bureau.

SECTION 48. IC 25-23.5-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 9. (a) A certificate issued by the committee expires on a date established by the health professions bureau under IC 25-1-5-4 ~~in of the next even-numbered~~ **fourth** year following the year in which the certificate was issued **or last renewed.**

(b) A person may renew a certificate by paying a renewal fee on or before the expiration date of the certificate.

(c) If a person fails to pay a renewal on or before the expiration date of a certificate, the certificate becomes invalid.

SECTION 49. IC 25-24-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) ~~in each even-numbered year,~~ **Not later than sixty (60) days before the expiration of a license,** the bureau shall issue a ~~sixty (60) day~~ notice of expiration and a license renewal application in accordance with IC 25-1-5-4 to ~~each optometrist licensed in Indiana:~~ **the licensee.** The application shall be mailed to the last known address of the optometrist and shall contain spaces for the insertion of the licensee's name, address, date, and number of the license, and such other information and questions as the board considers necessary. The licensee shall complete, sign, and return the application for license renewal, together with a fee set by the board under section 1 of this chapter, before April 1 of ~~each even-numbered the year~~ **the license expires.**

(b) Upon the receipt of the application and fee, and upon the same being properly verified, the board shall issue a renewal of license.

(c) The payment of the renewal fee must be made ~~on or before~~ **not later than April 1 of each even-numbered the year the license expires.** The applicant's license expires and becomes invalid if the applicant has not paid the renewal fee by April 1 of ~~each even-numbered the year~~ **the license expires.** The license may be reinstated by the board up to three (3) years after its expiration if the applicant for reinstatement:

(1) pays a penalty fee set by the board under section 1 of this



chapter;

(2) pays the renewal fee set by the board under section 1 of this chapter; and

(3) provides evidence of obtaining the continuing education required by the board under section 1 of this chapter for each year, or portion of a year, during which the applicant's license was expired.

(d) Reinstatement of an expired license after the expiration of the three (3) year period provided in subsection (c) is dependent upon reexamination of the applicant by the board.

(e) The board may classify a license as inactive if the board receives written notification from a licensee stating that the licensee will not maintain an office or practice optometry in Indiana. The renewal fee for an inactive license is one-half (1/2) the license renewal fee set by the board under section 1 of this chapter.

(f) The holder of an inactive license is not required to fulfill continuing education requirements set by the board. The board may issue a license to the holder of an inactive license if the applicant:

(1) pays the renewal fee set by the board under section 1 of this chapter;

(2) pays the reinstatement fee set by the board under section 1 of this chapter; and

(3) provides evidence of obtaining the continuing education required by the board under section 1 of this chapter for each year, or portion of a year during which the applicant's license has been classified as inactive.

SECTION 50. IC 25-24-1-14.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14.1. ~~No biennial renewal~~ **The board may not renew a license shall be issued by the board until the applicant submits proof satisfactory to the board that subsequent to the issuance of his license, or last renewal thereof, he of the license that the applicant has completed continuing professional education, including postgraduate studies, institutes, seminars, lectures, conferences, workshops, and such other forms of continuing professional education as may be approved by the board. The number of hours and other requirements relating to this section shall be established by the board.**

SECTION 51. IC 25-26-13-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) Not later than October 31 ~~of each odd-numbered~~ **before a year that a pharmacy permit expires,** a form for application for renewal of a ~~pharmacy~~ **the** permit shall be sent to each permit holder, together with a bill for fees



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2 (b) Not later than April 30 of ~~each even-numbered~~ the year **that a**
3 **pharmacist's license expires**, a form for application for renewal of ~~a~~
4 **pharmacist's the** license shall be sent to each license holder, together
5 with a bill for fees due.

6 SECTION 52. IC 25-26-13-14 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 14. (a) A pharmacist's
8 license expires July 1 of ~~each even-numbered~~ the **fourth** year **after the**
9 **license is issued or last renewed**, unless renewed before that date.

10 (b) If an application for renewal is not filed and the required fee
11 paid before July 1 of ~~each even-numbered~~ the year **the license expires**,
12 the license expires and becomes invalid, and may be reinstated only by
13 paying the late license fee and the appropriate license renewal fee.

14 (c) Proof of having met the continuing education requirements shall
15 be submitted with the application for license renewal.

16 (d) If a pharmacist surrenders the pharmacist's license to practice
17 pharmacy in Indiana, the board may subsequently consider
18 reinstatement of the pharmacist's license upon written request of the
19 pharmacist. The board may impose any conditions it considers
20 appropriate to the surrender or to the reinstatement of a surrendered
21 license. The practitioner may not voluntarily surrender the
22 practitioner's license to the board without the written consent of the
23 board if any disciplinary proceedings are pending against the
24 practitioner under this chapter or IC 25-1-9.

25 (e) If a person fails to renew a license that expires under subsection
26 (a) within five (5) years after the date the license expires, the board
27 may reinstate the license only if the person:

28 (1) files an application in a form and manner prescribed by the
29 board;

30 (2) pays the renewal fee, a delinquent renewal fee, and a late fee
31 established by the board;

32 (3) submits proof to the board that the person has completed a
33 continuing education requirement established by the board; and

34 (4) passes an examination concerning state and federal laws that
35 the board considers relevant to the practice of pharmacy.

36 (f) The board may require a person who applies for a license under
37 subsection (e) to appear before the board and explain the reason the
38 person failed to renew the person's license.

39 SECTION 53. IC 25-26-13-22 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 22. (a) A pharmacy
41 permit shall expire on December 31 of the ~~odd-numbered~~ **fourth** year
42 **next succeeding after** the date of issuance **or last renewal of the**

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1 **permit.**

2 (b) If an application for renewal has not been filed and the required
3 fee paid by January 1 following the date of expiration, the pharmacy
4 permit shall lapse and may be reinstated only by paying the lapsed
5 permit fee and the appropriate permit fee.

6 (c) No pharmacy may be open for business, after December 31 of
7 the renewal year, until the renewal is perfected.

8 SECTION 54. IC 25-26-14-21 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 21. (a) A wholesale
10 drug distributor license expires at midnight of the renewal date
11 specified by the health professions bureau under IC 25-1-5-4 ~~in each~~
12 ~~even-numbered of the fourth year after issuance or last renewal of~~
13 **the license.**

14 (b) The board shall mail renewal application forms to each licensed
15 wholesale drug distributor before the first day of the month before the
16 month in which the license expires. If an application for renewal has
17 not been filed and the required fee paid before the license expiration
18 date, the wholesale drug distributor license shall lapse and become
19 void.

20 (c) A lapsed license may be reinstated only by paying all renewal
21 fees and, if the license has lapsed for more than thirty (30) days, a late
22 fee.

23 (d) A wholesale drug distributor may not be open for business after
24 the license has lapsed, until the renewal is completed.

25 SECTION 55. IC 25-27-1-8 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. (a) The committee
27 shall license as a physical therapist each applicant who:

- 28 (1) successfully passes the examination provided for in this
29 chapter; and
30 (2) is otherwise qualified as required by this chapter.

31 (b) All licenses and certificates issued by the committee expire on
32 the date of ~~each even-numbered the fourth year after issuance or last~~
33 **renewal of the license or certificate** specified by the health
34 professions bureau under IC 25-1-5-4. A renewal fee established by the
35 board after consideration of any recommendation of the committee
36 must be paid ~~biennially~~ on or before the date specified by the health
37 professions bureau, and if not paid on or before that date, the license or
38 certificate becomes invalid, without further action by the committee. A
39 penalty fee set by the board after consideration of any recommendation
40 of the committee shall be in effect for any reinstatement within three
41 (3) years from the original date of expiration.

42 (c) An expired license or certificate may be reinstated by the

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committee up to three (3) years after the expiration date if the holder of the expired license or certificate:

(1) pays a penalty fee set by the board after consideration of any recommendation of the committee; and

(2) pays the renewal fees for the biennium.

If more than three (3) years have elapsed since expiration of the license or certificate, the holder may be reexamined by the committee. The board may adopt, after consideration of any recommendation of the committee, rules setting requirements for reinstatement of an expired license.

(d) The committee may issue not more than two (2) temporary permits to a physical therapist or physical therapist's assistant. A person with a temporary permit issued under this subsection may practice physical therapy only under the direct supervision of a licensed physical therapist who is responsible for the patient. A temporary permit may be issued to any person who has paid a fee set by the board after consideration of any recommendation of the committee and who:

(1) has a valid license from another state to practice physical therapy, or has a valid certificate from another state to act as a physical therapist's assistant; or

(2) has applied for and been approved by the committee to take the examination for licensure or certification, has not previously failed the licensure or certification examination in Indiana or any other state, and has:

(A) graduated from a school or program of physical therapy; or

(B) graduated from a two (2) year college level education program for physical therapist's assistants that meets the standards set by the committee.

The applicant must take the examination within the time limits set by the committee.

(e) A temporary permit issued under subsection (d) expires when the applicant becomes licensed or certified, or approved for endorsement licensing or certification by the committee, or when the application for licensure has been disapproved, whichever occurs first. An application for licensure or certification is disapproved and any temporary permit based upon the application expires when the applicant fails to take the examination within the time limits set by the committee or when the committee receives notification of the applicant's failure to pass any required examination in Indiana or any other state.

(f) A holder of a license or certificate under this chapter who intends

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1 to retire from practice shall notify the committee in writing. Upon
 2 receipt of the notice, the committee shall record the fact that the holder
 3 of the license or certificate is retired and release the person from
 4 further payment of renewal fees. If a holder of the license or certificate
 5 surrenders a license or certificate, reinstatement of the license or
 6 certificate may be considered by the committee upon written request.
 7 The committee may impose conditions it considers appropriate to the
 8 surrender or reinstatement of a surrendered license or certificate. A
 9 license or certificate may not be surrendered to the committee without
 10 the written consent of the committee if any disciplinary proceedings are
 11 pending against a holder of a license or certificate under this chapter.

12 SECTION 56. IC 25-27.5-4-5 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. (a) A certificate
 14 issued by the committee expires on a date established by the health
 15 professions bureau under IC 25-1-5-4 ~~in of the next even-numbered~~
 16 **fourth** year following the year in which the certificate was issued **or**
 17 **last renewed.**

18 (b) An individual may renew a certificate by paying a renewal fee
 19 on or before the expiration date of the certificate.

20 (c) If an individual fails to pay a renewal on or before the expiration
 21 date of a certificate, the certificate becomes invalid.

22 SECTION 57. IC 25-28.5-1-22 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 22. (a) Every license or
 24 certificate of registration issued under ~~the provisions of~~ this chapter
 25 ~~shall expire two (2) years subsequent to~~ **expires four (4) years after** the date
 26 of its issuance **or last renewal** and shall be renewed ~~biennially~~
 27 ~~thereafter~~ upon payment of the required renewal fees.

28 (b) Applications for renewal shall be filed with the commission, on
 29 a form provided therefore, ~~no not~~ later than thirty (30) days ~~prior to~~
 30 **before** the expiration date of the licensee's or registrant's current
 31 license or certificate of registration. The application shall be
 32 accompanied by the required renewal fee. The commission upon the
 33 receipt of the application for renewal and the required renewal fee,
 34 shall issue to the renewal applicant a license or certificate of
 35 registration in the category ~~said the~~ applicant has previously held.

36 SECTION 58. IC 25-29-8-6 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) A license or
 38 certificate issued under this chapter expires ~~one (1) year~~ **four (4) years**
 39 **after issuance or last renewal of the license.**

40 (b) An individual issued a license or certificate under this chapter
 41 may apply for renewal if a renewal fee is paid and the applicant follows
 42 the procedures and meets the requirements established by the board.

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1 SECTION 59. IC 25-30-1-16 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16. (a) A license and
 3 the identification cards of the licensee's employees issued under this
 4 chapter expire ~~two (2)~~ **four (4)** years from the date of issuance **or last**
 5 **renewal** of the license.

6 (b) A licensee desiring a renewal license must:

7 (1) file an application for renewal at least thirty (30) days before
 8 the expiration of the licensee's license on a form as prescribed by
 9 the board; and

10 (2) meet the license renewal requirements determined by the
 11 board.

12 (c) A license may be reinstated within thirty (30) days after the
 13 expiration of the license if the applicant does the following:

14 (1) Files an application for renewal with the board.

15 (2) Meets the license requirements determined by the board.

16 (3) Pays the license and delinquent fees.

17 (d) Employee identification cards issued under this chapter expire
 18 at the same time as the license referred to in subsection (a).

19 SECTION 60. IC 25-30-1-17 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) The board shall
 21 charge and the licensing agency shall collect the following private
 22 detective license fees:

23 (1) For issuance or renewal of a private detective license, a fee of
 24 ~~one three hundred fifty~~ dollars ~~(\$150)~~. **(\$300)**.

25 (2) For identification cards for unlicensed employees issued under
 26 section 10(d) of this chapter, a fee of:

27 (A) ten dollars (\$10); or

28 (B) five dollars (\$5) if application for the identification card is
 29 made in the ~~second last~~ year of the licensee's license.

30 (3) For reinstatement of a license referred to in section 16(c) of
 31 this chapter, a delinquent fee of seventy-five dollars (\$75).

32 (b) All fees collected under this chapter shall go into the general
 33 fund and shall be accounted for by the licensing agency.

34 (c) A license fee shall not be refunded unless a showing is made of
 35 ineligibility to receive the license by failure to meet the requirements
 36 of this chapter, or by a showing of mistake, inadvertence, or error in the
 37 collection of the fee.

38 SECTION 61. IC 25-31-1-17 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 17. (a) The ~~biennial~~
 40 period for which renewals are to be made shall extend from the first
 41 day of August of ~~an even-numbered~~ a year to the last day of July of the
 42 ~~next even-numbered year~~. **four (4) years later.**



(b) A new registrant whose certificate bears a date during the first ~~twelve (12)~~ **twenty-four (24)** months of a ~~biennial~~ renewal period is required to pay one-half (1/2) of the ~~biennial~~ renewal fee in addition to and at the time of the payment of the certificate fee to validate the certificate for the last ~~twelve (12)~~ **twenty-four (24)** months of the ~~biennial~~ renewal period.

(c) ~~All certificates~~ **A certificate** of registration ~~expire~~ **expires** on the last day of July ~~in each even-numbered~~ **of the fourth** year ~~after the certificate is issued or last renewed~~ **and are is** invalid from that date, unless renewed. The secretary of the board shall send a renewal bill notice by mail to every person registered and in good standing and to those holding invalid certificates who are delinquent not more than ~~two~~ **(2) four (4)** years. The notice must comply with the provisions of IC 25-1-2-6(c) and include the amount of the renewal fee and delinquent fee, if any, to validate the certificate for the succeeding ~~biennial renewal~~ period. The renewal fee and delinquent fee shall be determined by the board under IC 25-1-8-2.

(d) The failure on the part of a registrant to renew a certificate does not deprive the registrant of the right of renewal until the registrant's certificate has remained invalid ~~during two (2) biennial renewal periods~~ **for not more than four (4) years** if the registrant pays the appropriate delinquent and renewal fees. ~~After two (2) successive biennial renewal periods have elapsed~~ **If a certificate has not been renewed not later than four (4) years after the certificate expires,** renewal shall be denied.

SECTION 62. IC 25-32-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. (a) The board shall prescribe and provide an application form for the use of all applicants for registration. The applicant shall deposit a fee in an amount set by the board at the time of making application for registration.

(b) All certificates of registration issued by the board expire ~~in each odd-numbered year~~ **on July 31 of the fourth year after issuance or last renewal.** A renewal fee specified by the board by rule must be paid ~~biennially~~ on or before July 31 of ~~each odd-numbered~~ **the year the certificate expires.** If the renewal fee is not paid ~~on or before~~ **not later than** July 31 of ~~each odd-numbered~~ **the year a certificate of registration expires,** the certificate of registration expires and becomes invalid without further action by the board. A certificate of registration that expires and becomes invalid under this subsection may be reinstated by the board up to three (3) years after the invalidation if the holder of the invalid certificate pays:

(1) the penalty fee set by the board; and



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(2) the renewal fee for the biennium.

(c) A registration expired in excess of three (3) years is not eligible for renewal. If more than three (3) years have elapsed since the expiration of the registration, an environmental health specialist must:

- (1) submit a new application;
- (2) submit all appropriate application fees; and
- (3) meet all requirements of this chapter.

SECTION 63. IC 25-33-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) A license issued under this article expires September 1 of ~~each even-numbered~~ **the fourth year after the license is issued or last renewed.** A renewal fee established by the board under section 3 of this chapter must be paid by an applicant for renewal before the license expires.

(b) If the holder of an expired license fails to renew the license on or before the renewal date, the license expires and becomes invalid without any further action by the board.

(c) A license that expires and becomes invalid under this section may be renewed by the board up to three (3) years after the date of the expiration of the license if the applicant:

- (1) pays a penalty fee set by the board under section 3 of this chapter; and
- (2) pays renewal fees accrued during the period the license was invalid.

(d) If a license has been invalidated under this section for more than three (3) years, the holder of the license may receive a new license from the board only if the holder:

- (1) files an application in a form and manner prescribed by the board;
- (2) pays the renewal fee, a delinquent renewal fee, and a late fee established by the board;
- (3) submits proof to the board that the person has completed a continuing education requirement established by the board; and
- (4) passes an examination concerning state and federal laws that the board considers relevant to the practice of psychology.

(e) The board may adopt rules establishing requirements for reinstatement of a license invalidated under this section.

(f) An initial license issued under this article is valid for the remainder of the renewal period in effect on the date of issuance.

(g) The board may require a person who applies for a license under subsection (d) to appear before the board and explain the reason the person failed to renew the person's license.

SECTION 64. IC 25-33-2-2 IS AMENDED TO READ AS



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FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) Except as provided in subsection (b), a licensed psychologist must complete at least ~~forty (40)~~ **eighty (80)** hours of continuing education courses each license period.

(b) A psychologist who has been licensed for less than two (2) years preceding the application for renewal must complete the number of credit hours established by the board.

(c) During a license period, a psychologist may not earn more than ~~twenty (20)~~ **forty (40)** credit hours toward the requirements under this section for continuing education courses that include the following:

(1) Journal clubs, colloquia, invited speaker sessions, in-house seminars, and case conferences that are specifically designed for training or teaching.

(2) Programs offered at professional or scientific meetings that are relevant to psychology.

(3) Individualized learning, including approved audio and video instructional programs and formal professional supervision. Individualized learning does not include administrative supervision.

(d) During a license period, a psychologist must earn at least ~~twenty (20)~~ **forty (40)** credit hours toward the requirements under this section for continuing education courses that include the following:

(1) Formally organized courses.

(2) Workshops.

(3) Seminars.

(4) Symposia.

(5) Post doctoral institutes.

(6) Home study programs, including approved computer, audio, and video instructional programs, designed by board approved organizations and subject to board verification and approval procedures, not to exceed ~~ten (10)~~ **twenty (20)** credit hours per license period.

SECTION 65. IC 25-34.1-3-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3.1. (a) To obtain a salesperson license, an individual must:

(1) be at least eighteen (18) years of age before applying for a license and must not have a conviction for:

(A) an act that would constitute a ground for disciplinary sanction under IC 25-1-11;

(B) a crime that has a direct bearing on the individual's ability to practice competently; or

(C) a crime that indicates the individual has the propensity to



- 1 endanger the public.
- 2 (2) have successfully completed courses in the principles,
- 3 practices, and law of real estate, totaling eight (8) semester credit
- 4 hours, or their equivalent, as a student at an accredited college or
- 5 university or have successfully completed an approved
- 6 salesperson course as provided in IC 25-34.1-5-5(a);
- 7 (3) apply for a license by submitting the application fee
- 8 prescribed by the commission and an application containing the
- 9 name, address, and age of the applicant, the name under which
- 10 the applicant intends to conduct business, the principal broker's
- 11 address where the business is to be conducted, proof of
- 12 compliance with subdivision (2), and any other information the
- 13 commission requires;
- 14 (4) pass a written examination prepared and administered by the
- 15 commission or its duly appointed agent; and
- 16 (5) submit not more than one hundred twenty (120) days after
- 17 passing the written examination under subdivision (4):
- 18 (A) the license fee of ~~twenty-five~~ **fifty** dollars ~~(\$25);~~ **(\$50);**
- 19 and
- 20 (B) a sworn certification of a principal broker that the
- 21 principal broker intends to associate with the applicant and
- 22 maintain that association until notice of termination of the
- 23 association is given to the commission.
- 24 (b) Upon the applicant's compliance with the requirements of
- 25 subsection (a), the commission shall:
- 26 (1) issue a wall certificate in the name of the salesperson to the
- 27 principal broker who certified the applicant's association with the
- 28 principal broker; and
- 29 (2) issue to the salesperson a pocket identification card which
- 30 certifies that the salesperson is licensed and indicates the
- 31 expiration date of the license and the name of the principal
- 32 broker.
- 33 (c) Notice of passing the commission examination serves as a
- 34 temporary permit to act as a salesperson as soon as the applicant sends,
- 35 by registered or certified mail with return receipt requested, the license
- 36 fee and certification as prescribed in subsection (a)(5)(A) and
- 37 (a)(5)(B). The temporary permit expires the earliest of the following:
- 38 (1) The date the license is issued.
- 39 (2) The date the applicant's association with the certifying
- 40 principal broker is terminated.
- 41 The temporary permit may not be renewed, extended, reissued, or
- 42 otherwise effective for any association other than with the initial

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certifying principal broker.

(d) A salesperson shall:

- (1) act under the auspices of the principal broker responsible for that salesperson's conduct under this article;
- (2) be associated with only one (1) principal broker;
- (3) maintain evidence of licensure in the office, branch office, or sales outlet of the principal broker;
- (4) advertise only in the name of the principal broker, with the principal broker's name in letters of advertising larger than that of the salesperson's name; and
- (5) not maintain any real estate office apart from that office provided by the principal broker.

(e) Upon termination of a salesperson's association with a principal broker, the salesperson's license shall be returned to the commission within five (5) business days. The commission shall reissue the license to any principal broker whose certification, as prescribed in subsection (a)(5)(B), is filed with the commission, and the commission shall issue a new identification card to the salesperson reflecting that change.

(f) A salesperson license expires at midnight, December 31, of the ~~next odd-numbered fourth~~ year following the year in which the license is issued or last renewed, unless the licensee renews the license prior to expiration by payment of a ~~biennial~~ license fee of ~~twenty-five~~ **fifty** dollars ~~(\$25)~~ **(\$50)**. An expired license may be reinstated within one hundred twenty (120) days after expiration, by payment of all unpaid license fees together with twenty dollars (\$20). If the license is renewed within eighteen (18) months, but more than one hundred twenty (120) days, after expiration, the licensee must pay a late fee of one hundred dollars (\$100) plus any unpaid license fees. If a salesperson fails to reinstate a license within eighteen (18) months after expiration, a license may not be issued unless that salesperson again complies with the requirements of subsection (a)(3), (a)(4), and (a)(5).

(g) A salesperson license may be issued to an individual who is not yet associated with a principal broker but who otherwise meets the requirements of subsection (a). A license issued under this subsection shall be held by the commission in an unassigned status until the date the individual submits the certification of a principal broker required by subsection (a)(5). If the individual does not submit the application for licensure within one hundred twenty (120) days after passing the commission examination, the commission shall void the application and may not issue a license to that applicant unless the applicant again complies with the requirements of subsection (a)(4) through (a)(5).

(h) If an individual holding a salesperson license is not associated

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1 with a principal broker for ~~two (2) successive renewal periods~~, **four (4)**
 2 **years**, the commission shall notify the individual in writing that the
 3 individual's license will become void if the individual does not
 4 associate with a principal broker within thirty (30) days from the date
 5 the notification is mailed. A void license may not be renewed.

6 SECTION 66. IC 25-34.1-3-4.1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4.1. (a) To obtain a
 8 broker license, an individual must:

9 (1) be at least eighteen (18) years of age before applying for a
 10 license and must not have a conviction for:

11 (A) an act that would constitute a ground for disciplinary
 12 sanction under IC 25-1-11;

13 (B) a crime that has a direct bearing on the individual's ability
 14 to practice competently; or

15 (C) a crime that indicates the individual has the propensity to
 16 endanger the public.

17 (2) have satisfied section 3.1(a)(2) of this chapter and have had
 18 continuous active experience for one (1) year immediately
 19 preceding the application as a licensed salesperson in Indiana;
 20 however, this one (1) year experience requirement may be waived
 21 by the commission upon a finding of equivalent experience;

22 (3) have successfully completed an approved broker course of
 23 study as prescribed in IC 25-34.1-5-5(b);

24 (4) apply for a license by submitting the application fee
 25 prescribed by the commission and an application specifying the
 26 name, address, and age of the applicant, the name under which
 27 the applicant intends to conduct business, the address where the
 28 business is to be conducted, proof of compliance with
 29 subdivisions (2) and (3), and any other information the
 30 commission requires;

31 (5) pass a written examination prepared and administered by the
 32 commission or its duly appointed agent; and

33 (6) within one hundred twenty (120) days after passing the
 34 commission examination, submit the license fee of ~~fifty one~~
 35 **hundred** dollars ~~(\$50): (\$100)~~. If an individual applicant fails to
 36 file a timely license fee, the commission shall void the application
 37 and may not issue a license to that applicant unless that applicant
 38 again complies with the requirements of subdivisions (4) and (5)
 39 and this subdivision.

40 (b) To obtain a broker license, a partnership must:

41 (1) have as partners only individuals who are licensed brokers;

42 (2) have at least one (1) partner who is a resident of Indiana;

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(3) cause each employee of the partnership who acts as a broker or salesperson to be licensed; and

(4) submit the license fee of ~~fifty one hundred~~ dollars ~~(\$50)~~ **(\$100)** and an application setting forth the name and residence address of each partner and the information prescribed in subsection (a)(4).

(c) To obtain a broker license, a corporation must:

(1) have a licensed broker residing in Indiana who is either an officer of the corporation or, if no officer resides in Indiana, the highest ranking corporate employee in Indiana with authority to bind the corporation in real estate transactions;

(2) cause each employee of the corporation who acts as a broker or salesperson to be licensed; and

(3) submit the license fee of ~~fifty one hundred~~ dollars ~~(\$50)~~ **(\$100)**, an application setting forth the name and residence address of each officer and the information prescribed in subsection (a)(4), a copy of the certificate of incorporation, and a certificate of good standing of the corporation issued by the secretary of state of Indiana.

(d) To obtain a broker license, a limited liability company must:

(1) if a member-managed limited liability company:

(A) have as members only individuals who are licensed brokers; and

(B) have at least one (1) member who is a resident of Indiana; or

(2) if a manager-managed limited liability company, have a licensed broker residing in Indiana who is either a manager of the company or, if no manager resides in Indiana, the highest ranking company officer or employee in Indiana with authority to bind the company in real estate transactions;

(3) cause each employee of the limited liability company who acts as a broker or salesperson to be licensed; and

(4) submit the license fee of ~~fifty one hundred~~ dollars ~~(\$50)~~ **(\$100)** and an application setting forth the information prescribed in subsection (a)(4), together with:

(A) if a member-managed company, the name and residence address of each member; or

(B) if a manager-managed company, the name and residence address of each manager, or of each officer if the company has officers.

(e) Licenses granted to partnerships, corporations, and limited liability companies are issued, expire, are renewed, and are effective on

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the same terms as licenses granted to individual brokers, except as provided in subsection (h), and except that expiration or revocation of the license of:

(1) any partner in a partnership or all individuals in a corporation satisfying subsection (c)(1); or

(2) a member in a member-managed limited liability company or all individuals in a manager-managed limited liability company satisfying subsection (d)(2);

terminates the license of that partnership, corporation, or limited liability company.

(f) Upon the applicant's compliance with the requirements of subsection (a), (b), or (c), the commission shall issue the applicant a broker license and an identification card which certifies the issuance of the license and indicates the expiration date of the license. The license shall be displayed at the broker's place of business.

(g) Notice of passing the commission examination serves as a temporary permit for an individual applicant to act as a broker as soon as the applicant sends, by registered or certified mail with return receipt requested, a timely license fee as prescribed in subsection (a)(6). The temporary permit expires the earlier of one hundred twenty (120) days after the date of the notice of passing the examination or the date a license is issued.

(h) A broker license expires, for individuals, at midnight, December 31 and, for corporations, partnerships, and limited liability companies at midnight, June 30 of the ~~next even-numbered~~ **fourth** year following the year in which the license is issued or last renewed, unless the licensee renews the license prior to expiration by payment of a ~~biennial~~ license fee of ~~fifty one hundred~~ **dollars (\$50): (\$100)**. An expired license may be reinstated within one hundred twenty (120) days after expiration by payment of all unpaid license fees together with twenty dollars (\$20). If the license is renewed within eighteen (18) months, but more than one hundred twenty (120) days, after expiration, the licensee must pay a late fee of one hundred dollars (\$100) plus any unpaid license fees. If a broker fails to reinstate a license within eighteen (18) months after expiration, a license may not be issued unless the broker again complies with the requirements of subsection (a)(4), (a)(5), and (a)(6).

(i) A partnership, corporation, or limited liability company may not be a broker-salesperson except as authorized in IC 23-1.5. An individual broker who associates as a broker-salesperson with a principal broker shall immediately notify the commission of the name and business address of the principal broker and of any changes of

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principal broker that may occur. The commission shall then change the address of the broker-salesperson on its records to that of the principal broker.

SECTION 67. IC 25-34.5-2-10, AS AMENDED BY P.L.60-2000, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) The committee shall, under IC 25-1-2, renew every ~~two (2)~~ **four (4)** years the license of a practitioner who:

(1) meets the continuing education requirements established by rule by the board; and

(2) pays the fee set by the board.

(b) If a practitioner does not renew the practitioner's license before its expiration, the practitioner's license becomes invalid without action taken by the committee. A license that becomes invalid under this subsection may be reinstated by the committee up to three (3) years after its invalidation if the practitioner who holds an invalid license pays the following:

(1) A penalty set by the board.

(2) The renewal fee for the ~~biennium~~ **license period**.

(c) If a license that becomes invalid under subsection (b) is not reinstated by the committee within three (3) years of its invalidation, the holder of the invalid license may be required by the committee to take an examination for competence before the committee will reinstate the license.

(d) The board may adopt rules under IC 4-22-2 establishing requirements for reinstatement of an invalid license after consideration of a recommendation of the committee.

(e) The board shall accept continuing education courses in the following areas toward fulfillment of the requirements of subsection (a):

(1) Management of the practice of respiratory care.

(2) Courses concerning the practice of respiratory care that enable individuals to teach continuing education courses for respiratory care practitioners.

(3) The practice of respiratory care.

SECTION 68. IC 25-35.6-3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) Licenses issued under this article expire, if not renewed, before January 1 of ~~each even-numbered~~ **the fourth year following the year in which the license is issued or last renewed**.

(b) Every person licensed under this article shall pay a fee for renewal of the person's license before January 1 of ~~each even-numbered~~ **the year after the license expires**. The board may, in

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the event payment of the renewal fee is tendered after December 31 of ~~any odd-numbered year; the year a license expires~~ reinstate ~~a~~ the license upon payment of the renewal of license fee plus a late renewal fee in an amount set by the board by rule. No person who requests reinstatement of the person's license, whose license has expired, shall be required to submit to examination as a condition to reinstatement, if the application for reinstatement is made within two (2) years from the date of the expiration.

(c) A suspended license is subject to expiration and may be renewed or reinstated as provided in this section, but a renewal or reinstatement shall not entitle the licensee, while the license remains suspended and until it is reinstated, to engage in the licensed activity, or in any other conduct or activity in violation of the order or judgment by which the license was suspended.

(d) Any person who fails to renew the person's license within two (2) years after the date of its expiration may not renew it, and it may not be subsequently restored, reissued, or reinstated, but the person may apply for and obtain a new license if the person meets the requirements of this article.

SECTION 69. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2001]: IC 25-1-2-1; IC 25-1-2-2.1; IC 25-1-2-5; IC 25-1-8-4; IC 25-21.5-8-2; IC 25-21.5-8-3.

SECTION 70. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "board" refers to the agency or board responsible for issuing a license to a person practicing a profession.**

(b) **As used in this SECTION, "license" refers to a license, registration, certificate, or permit issued to a person practicing a profession.**

(c) **As used in this SECTION, "licensing agency" refers to the health professions bureau or the professional licensing agency as the context requires.**

(d) **As used in this SECTION, "profession" refers to a profession or an occupation regulated by a statute amended by this act.**

(e) **If this act changes the license period of a profession to four (4) years from any shorter period, the four (4) year license period for the license of a particular person licensed to practice that profession takes effect upon the expiration of that person's license that first occurs after June 30, 2001.**

(f) **If the board responsible for issuing a license has statutory authority to set fees for the issuance or renewal of a license, the board shall adopt rules under IC 4-22-2 to revise the fees to reflect**

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1 a change in the license renewal period to a four (4) year period. A
 2 board may adopt interim written guidelines to revise fees until
 3 rules adopted under IC 4-22-2 become effective. Interim written
 4 guidelines adopted under this subsection expire on the earlier of
 5 the following:

6 (1) The date that rules adopted by the board under IC 4-22-2
 7 to revise the fees become effective.

8 (2) July 1, 2003.

9 (g) A board that has statutory authority to prescribe the amount
 10 of continuing education required for a person who holds a license
 11 issued by the board may adopt interim written guidelines to adjust
 12 the amount of continuing education that must be obtained during
 13 a license period to reflect a change in the license period to four (4)
 14 years. Interim written guidelines adopted under this subsection
 15 expire on the earlier of the following:

16 (1) The date that rules adopted by the board under IC 4-22-2
 17 to adjust the continuing education requirement become
 18 effective.

19 (2) July 1, 2003.

20 (h) A licensing agency, in cooperation with the appropriate
 21 board, may adjust renewal dates for a profession so that renewals
 22 of all professions served by the licensing agency may be processed
 23 efficiently under a four (4) year license cycle for all the professions.

24 (i) This SECTION expires July 1, 2005.

25 SECTION 71. An emergency is declared for this act.

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